



USAID | RULE OF LAW FROM THE AMERICAN PEOPLE PROGRAM IN ALBANIA

The USAID Albania Rule of Law Program (ROLP), implemented by DPK Consulting—a division of ARD, Inc., concluded its first year of activities. The 3-year program supported a number of successful activities and launched others. ROLP concentrates on 3 activity areas: Accountable Courts, Institutional Oversight and Audit, and Civic Monitoring & Engagement.

ACCOUNTABLE COURTS

USAID ADMINISTRATOR SIGNS PILOT COURT MEMORANDUM OF UNDERSTANDING (MOU)

After USAID negotiated a Framework Memorandum of Understanding MOU with the Ministry of Justice, High Council of Justice, Judicial Conference, and National Budget Office in January 2008, DPK selected 10 Pilot Courts for ROLP activities and USAID signed individual MOUs with each of them. Ceremonies were held for each of the MOU signings, with USAID Administrator Henrietta Fore signing the Tirana Appellate Court MOU on behalf of USAID.



PUBLIC AND COURTS DISCUSS PROBLEMS, FIND SOLUTIONS

ROLP organized multiple Public Court Forums in Durres, Vlora, and Podgradec, in which judges, court staff, prosecutors, local citizens, media representatives and



lawyers broke out into groups to discuss problems at the local courts and propose solutions. Among the many problems highlighted during the forums were the lack of court transparency, insufficient court infrastructure, lack of dignity and decorum in

courtrooms, and hearings being held in judges' chambers. At closing sessions, the problems and proposed solutions were presented and discussed.

INCREASED COURT TRANSPARENCY

Improving both trial records and transparency were two reasons for installing computers, printers, and monitors at the 10 pilot courts. The public can observe the typed session minutes as they scroll across the monitor. Parties and lawyers will receive a printout immediately after the session. This allows the opportunity to immediately correct any errors and improve the information sent to appellate courts for decisions under appeal.

BETTER CASE LOAD MANAGEMENT

Consultant Ron Stout spent 2 weeks with ROLP working with pilot courts on:

- Effective use of computerized case management system;
- Improved file management system;
- Making trial records more reliable, accurate, complete and transparent.



Mr. Stout's findings and recommendations were presented at the "Toward Modern Court Administration Workshop." Minister of Justice Enkelejd Alibeaj spoke at the workshop and encouraged workshop attendees to work toward more efficient and corruption-free courts.

IMPROVING JUDICIAL SKILLS

In order to improve the quality of decisions written by Albanian judges, ROLP provided all judges of the 10 pilot courts with a CD containing copies of the Official Gazette, which publishes the laws, regulations applicable to the judiciary and major decisions by the Supreme and Constitutional Courts.

ROLP also organized 5 regional workshops on "Legal Writing, Research, and Court Decision Writing." International and local consultants covered topics selected to teach the pilot court judges skills needed for researching and writing legal decisions.

INSTITUTIONAL OVERSIGHT & AUDIT

The main focus of the Institutional Oversight & Audit's activities in this period was to assist the High Inspectorate for the Declaration and Audit of Assets (HIDAA). Prior USAID programming focused on supporting HIDAA, and ROLP continued the support.

IMPROVING COLLABORATION BETWEEN HIDAA, MEDIA, AND CIVIL SOCIETY

With the goal of improving cooperation and transparency, ROLP and HIDAA

organized a workshop at which HIDAA staff, media, and civil society representatives discussed problems and issues that arise in investigating and reporting on corruption and conflicts of interest. Two discussion groups were organized. One group discussed improving collaboration between HIDAA, media, and civil society. The other group discussed their experiences and future prospects for media and civil society in investigating and exposing cases of conflicts of interest. The two groups reassembled to discuss their comments and recommendations. There was general agreement that further workshops are needed to improve collaboration between the three groups.



HIDAA-JIU WORKSHOPS

Successful prosecution of fraudulent declarations of assets by officials requires cooperation between HIDAA and the Prosecutor General's Joint Investigative Unit (JIU). Improving the cooperation between the two organizations was the topic of workshops organized by ROLP and the Department of Justice's Office of Overseas Prosecutorial Development, Assistance, and Training (OPDAT). HIDAA investigators and JIU prosecutors discussed investigative procedures and cooperation. Closed-case files were the basis for much of the discussion.

OTHER ACTIVITIES

- ROLP staff is working to develop manuals on conflict of interest in procurement and local government, as well as a manual on internal control. The manuals will be the basis for intensive training provided by ROLP in the next program year.

- ROLP staff helped the Albanian Institute of Internal Auditors to complete its organizational requirements and to begin enrolling members.
- ROLP provided assistance to HIDAA to upgrade its automated system for analyzing the declarations of assets filed.
- In recognition of HIDAA's 5th anniversary, ROLP provided assistance for the publication of the English edition of HIDAA's 5th Anniversary Booklet.

CIVIC MONITORING & ENGAGEMENT

The Civic Monitoring & Engagement component is primarily focused on cross-cutting activities with the other two components.

COURTS UNDER CSO's SCRUTINY

ROLP supports five local NGOs to monitor court performance through small grants. Their activities include:

- Monitoring of courtroom usage and solemnity
- Surveying current and past caseloads at two appellate courts
- Monitoring judges' assets disclosure
- Courts' anticorruption strategies
- Courts' compliance with Albania's Freedom of Information Act

CORRUPTION SURVEY

ROLP supported the annual "*Corruption in Albania:*

Perception and Experience Survey 2008."

The survey, the fourth of its kind, measures the public's perception of corruption over time, their

attitudes about corruption, and their experiences with corruption. The survey was released at a public event in May, at which the American Ambassador John L. Withers II was the keynote speaker. The survey's findings and Ambassador Withers' comments were widely publicized by national media throughout Albania, thereby raising awareness and increasing focus on corruption issues.

